

## BLACKSTONE DOES HIS STUFF<sup>1</sup>

*By* TED DEALEY

### I

WHEN the Sulphur Bottom and Northeastern Railroad's fast freight whizzed by old man Charley Webb's farm one drizzly night in early fall and messed up six somnambulating cows so thoroughly that there wasn't even any salvage left, Guy Oates took his hat and coat off a nail and made a hurried trip to the Webb farm.

"Heard last night's train bumped off six of your best heifers," he said to Mr. Webb. "What're you going to do about it?"

"Sue 'em," responded Mr. Webb brightly and without hesitation.

"So I figured," said Oates. "'Most everyone does. It's a kind of habit. What were those heifers worth?"

"'Bout two hundred dollars apiece," grunted Mr. Webb, who had evidently given thought to the matter overnight.

"I mean before they were hit," said Oates.

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Mr. Webb stared.

"Lissen, young feller, them cows——"

"I know what you're going to say," interrupted Oates. "They were all pure-bred Whitefaces and worth every cent of two hundred dollars each. Maybe you refused that for them only last week because you were planning to mop up all the blue ribbons with them at the fair next fall. Maybe you didn't. But if you think you can soak the railroad for twelve hundred berries for those six heifers, you've got another think coming. It's been tried before, but nobody has got by with it yet. Everybody around here knows you and knows you never owned anything but scrub cattle. You're entitled to some compensation, of course, but if you want anything from that railroad, you'd better come down off of that high horse and get reasonable. I think I can help you. It won't cost you a cent if I do. But I'm not going to take your case if I've got to make a jackass out of myself asking stock-show prices for a bunch of undersized heifers that couldn't even make the grade in a glue-factory. Let's talk sense."

"Well, them cows was wuth ever' bit of twenty-five dollars apiece, anyhow," mumbled Mr. Webb ruefully. "Ever' bit of it."

"That's better," said Oates. "If I get you one hundred and twenty dollars for those six cows, will you be satisfied?"

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"Well, yeah, I guess I would," said Mr. Webb reflectively, flicking at his off horse. "Kin you git it?"

"It's a gravy train," responded Mr. Oates.

"What're you goin' to charge me fer goin' to law 'bout it?" inquired Mr. Webb.

"Not a cent," said Oates. "I'm just taking your case for experience."

"You mean you ain't chargin' me nothin'?"

"Absolutely nothing."

Mr. Webb drew in a long breath and grinned. "Well, I guess you kin shore have the case on them terms." He clucked at his horses. Guy shook hands with him, smiling.

"If anything happens, let me know right away," said Oates.

"Shore," said Mr. Webb. "So long."

From the Webb farm back to town was only a matter of fifteen minutes ordinarily, but Guy negotiated the distance in less than that time. He went up the narrow flight of stairs to his office two steps at a time and drew his chair up to the desk briskly. For the next few minutes he bent over his work industriously. The ink flew under his fingers. Then, with a short exclamation of satisfaction, he gathered up his papers and, walking across the street to a little frame building which sagged under the weight of a big sign which proclaimed that this was the official abode of the justice of the peace, he an-

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nounced to that dignitary, who was seated within, that he had come to file suit against the Sulphur Bottom and Northeastern Railroad for the value of six heifers belonging to one Charley Webb of the Midlothian district.

"Crack down," said Judge Baldwin, who was a man of few words. "I heerd about Charley Webb's stock gittin' plunked and I kind o' figgered somebody'd be in to-day to milk th' company fer damages. But I didn't figger it'd be you. Your fust case, huh?"

"It's been less than two months since I got out of school," responded Guy somewhat stiffly. "You didn't expect me to have all the practice in town grabbed by now, did you?"

"Nope—ner a long time from now," vouchsafed the Judge with a wry grin.

Guy flushed, ignoring as best he could Judge Baldwin's uncomplimentary attitude. "There's six heifers that were killed," he said shortly. "I want to file six separate suits, one for each heifer. I want to file suit for \$19.95 on each cow."

Judge Baldwin was surprised. He intimated in that spirit that it was something unusual for such a poor specimen of the bovine family to be immolated on the altar of transportation. He had been presiding over the peace of the community for many a year in that neck of the woods, but never had he before heard of anything other than a pure-

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bred cow, with a pedigree as long as the Seven Sutherland Sisters' hair, meeting the Grim Reaper at the well-known rendezvous between cow-catcher and headlight.

"Does Charley know this is all you're a-claimin' fer him?" he asked the young lawyer.

"He does," replied Mr. Oates. "And he's satisfied. They were only scrub cows and not worth much, but worth every cent of \$19.95 each. I'll get it for him, too."

Judge Baldwin glowed with internal amusement. The Sulphur Bottom and Northeastern Railroad had been a decided factor in the mortality rate of the livestock residing in his precinct for some years, but they hadn't paid off as yet at a rate to hurt themselves any. And here was this young squirt of a lawyer just out of school intending to hook them for full damages in his first suit at law. It was just too good. Judge Baldwin made a mental note of the joke. He prided himself upon his sense of humor and here was an opportunity to have a whole weekful of fun. He would let the whole town in on the big laugh.

Guy filed his suits in due form and walked back across the street to his little second-floor office. After executing a double shuffle and cutting a very creditable pigeonwing on the bare floor, he sailed his hat across the room toward a receptive nail and sat down, hugging his knees joyfully.



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For the first time since he had arrived unannounced in Cedarvale some six weeks ago, Mr. Oates was actually engaged in the practice of the law. The natural exaltation arising from this novel state of affairs buoyed him up for a few minutes. He itched for the battle to start.

But the high spirits arising from the first skirmish were shortlived. There was plenty of planning to be done. This thought sobered Mr. Oates and did much to dissipate the froth of his early enthusiasm. He sat down in the big chair at his desk and, filling his pipe, puffed meditatively. He was engaged in a very serious lawsuit and he knew it. The die was cast. It wasn't only the value of six cows that was at stake; it was Mr. Oates' entire future in Cedarvale. The case itself meant nothing, but his conduct of it meant everything.

Six weeks before—nearly seven weeks—Guy had come into Cedarvale with high hopes and great expectations. One by one he had seen them dynamited. Colonel Aaron Botts was the man who always set off the fuse. In short, in legal circles Colonel Botts was, in Cedarvale, the cat's step-ins. He had the whole countryside grabbed. For twenty years this august gentleman had occupied the chair of jurisprudence, so to speak, in Cedarvale. The majesty of the law was locally epitomized in his black-garbed, slouched-hatted person.

He had held undisputed sway; to him came, as

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if by gravity, all the litigation of the little community. His word was final in all problems of a legal nature, his opinions as portentous as the Delphian oracle. Mr. Oates realized that he had to put the skids under this gentleman or else transport himself and his shingle to more salubrious stamping grounds.

For nearly seven weeks Guy had sought a break of luck that might give him an opening wedge into the townspeople's confidence. No break had come; now he was going to manufacture one. He would beard the lion in his den, take the bull by the horns, meet the enemy upon the enemy's chosen battleground. Guy sat upright in his chair and knocked out his pipe viciously.

"Law!" he said to himself impatiently. "Why, damn it all, law isn't in it with politics. But I'll give it one big fling. If old Blackstone can do his stuff in a hard-boiled community like this, I'll wipe the dust off this town and give it a new start in life. But if Blackstone flivvers on me—well, I'm sunk, that's all."

## II

The next day Mr. Oates had a visitor. It was Mr. Webb. He was the first man to cross Mr. Oates' threshold on a matter of business. Guy would have welcomed him with more enthusiasm if

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he had been a voluntary client instead of one he had had to rake in by main strength and diplomacy.

"Morning, Mr. Oates," was Mr. Webb's greeting. "Got any money fer them heifers yet?"

"No," replied Guy a trifle abruptly. The question seemed silly. "No, of course I haven't. You didn't expect me to this soon, did you? These things take time."

Mr. Webb placed his battered old felt hat between his feet on the floor, Texas fashion, and reached for the makings. He rolled a cigarette sheepishly and seemed ill at ease.

"Nope," he said candidly. "I didn't—not hardly, anyways. That's what I come to see you about. Colonel Botts was out to see me yestiddy. You know he goes to law fer the railroads in these parts." He scratched a match slowly on the bottom of his chair and eyed Mr. Oates uncertainly.

"Yes, I know," said Guy, stiffening. "What did you do?"

"Oh, nothin'," said Mr. Webb. "He made me a propersition and I told him I'd think it over an' let him know. I guessed I'd better see you fust, bein' as how you got th' case. I didn't think it was nothin' but fair to talk to you 'bout it. So I come to tell you."

"Did you tell Colonel Botts I was handling this case?"

"Yep," said Mr. Webb, "I told him that."



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"What did he say?" queried Mr. Oates. Mr. Webb colored slightly and busied himself rearranging his hat. Guy flushed. "What did you say?" he added hurriedly.

"Well, Mr. Oates," responded Webb, relieved, "I didn't say nothin' definite. But the Colonel offered me fifty dollars to call it all square. Don't you guess I orter take it?"

"Charley," said Mr. Oates, jumping from his chair and pacing up and down the room, "it's the same old game. You're just like all the other poor devils around here. You're going to let yourself be flimflammed out of what rightfully belongs to you because you're scared. You know damn well that those cows were worth every cent of what we're suing for."

Webb nodded. "Mr. Oates, I know they was," he answered. "But Colonel Botts says the railroad ain't got no time to be monkeyin' 'round in the co'ts. He says the sensible way to settle the thing is out o' co't. If I go to lawin' about it, he says, I probably won't git nothin'. An' I guess he's 'bout right. Lots has tried it, but it didn't do none o' them no good."

"Well, it's going to be different from now on," said Guy. "You tell old Botts there's nothing doing."

"Mr. Oates," said Webb slowly, "them fifty dollars 'ud shore be a lot o' help to me right now. My

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cawn got all burnt up an' my cotton ain't in yet an' times is purty bad. I know you're a right peart young feller, Mr. Oates, but I'm a little skeered that we won't git nothin' if we go on a-fightin' this thing. But I didn't think it was nothin' but fair to talk to you fust an'——"

"Look here, Charley," said Guy, "you are not going to compromise those suits, do you hear? I knew this was coming all the time. I expected you'd be in to see me on this very thing. But Botts has been running hog-wild around here long enough. I'm going to cramp that old bird's style or know the reason why. We'll make the railroad pay every cent. Understand?"

Mr. Webb opened his mouth as if to speak, but Guy wasn't through. "Listen. I'll make a trade with you. If we lose in court I'll pay you fifty dollars out of my own pocket. I haven't much money, but I can stand that."

Webb nodded dubiously. "But it wouldn't be right to take money from you, Mr. Oates," he said, "'specially seein' as how you don't even git nothin' if we win."

"Charley," said Guy, "it's not money that's worrying me right now. I'd pay you a hundred dollars before you compromised these cases. I want to fight them on through; I'll have fifty dollars' worth of fun out of it even if I lose. Stick by the guns, Charley. Is it a deal?"

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"Oh, shore," said Mr. Webb. "If you're so anxious, I ain't a-goin' to back down on you. Go on and pour it on 'em. I'll jist tell old Botts he kin go t'hell. I don't like him, no-ways."

"Put it there," said Guy, shaking hands cordially with Mr. Webb. "And when you tell old Botts where he can head in, give him my compliments along the same lines. You can't make it any too strong to suit me."

### III

In spite of Mr. Oates' avowed intention of taking a fling at the law, no one would have believed he was prosecuting that objective with any ambition had Mr. Oates been judged for the next three days from outward indications alone. A thick coating of dust settled down on his desk and remained undisturbed while, from early in the morning until dusk of each evening, Guy sat quietly at his window and stared across the street. He smoked his pipe interminably and went out only for meals.

Al'ways he watched the door of Judge Baldwin's office standing obliquely across the street.

Guy's vigil at the window came suddenly to an end on the afternoon of the third day. He saw the substantial figure of Colonel Aaron Botts sloshing its way through the mud to Judge Baldwin's office. Guy slid his chair back into the shadows and

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watched interestedly. The colonel appeared genial, but dignified withal, as befitted his Prince Albert coat and his high calling. He paused several times between the general store and the hall of justice to talk to passing friends. He seemed to have a good joke that bore retailing. From his vantage point, Guy watched his slow progress down the tree-bordered walk. The leisurely amble of the colonel irritated him; he felt like rushing outdoors to give him a good poking up. When at length Colonel Botts had run the entire gauntlet of his admirers and had disappeared in Judge Baldwin's office, Guy paced up and down his floor with impatience, cracking his fingers in nervousness.

It seemed an hour before Colonel Botts reappeared at the door of Judge Baldwin's office and shuffled down the steps to the walk. He appeared well satisfied with himself as he wended his way unhurriedly up the street. It took him an interminable time to get out of eye range. Guy pressed his nose to the pane and remained motionless until the bulky figure finally went out of sight around a distant corner. He then snatched his hat and coat and rattled down the stairs to the street door. There he paused and his whole demeanor changed. He strolled indifferently across to the opposite walk and into Judge Baldwin's court.

"Has Colonel Botts ever done anything about

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answering those suits?" he inquired casually, as he entered and dropped into a chair opposite a disordered table.

"Yep," said Judge Baldwin. "He jist left a minute ago."

"Oh, he did?" said Mr. Oates in surprise. "What's the dope?"

"Wal," drawled Judge Baldwin, "nothin' in especial. He jist asked me if I wouldn't consoler-date them six suits you filed."

"And what did you tell him?" asked Guy.

"Oh, it don't make no perticular difference to me," sighed Judge Baldwin in a weary voice. "Botts allowed as how we might as well have it all over with at once 'stead of trying' th' same case six times. That sounds reasonable enough. I ain't hankerin' after doin' any more work than I have to. I got a lot o' fence buildin' at home to tend to and the old lady ain't none too sprightly, nohow." Judge Baldwin yawned. "I told him to come back again to-morrow. I can't be rushed into nothin' in this law game. You got to think things over."

Guy arose excitedly and slapped his hand on the table. "Judge," he said, "I congratulate you. I'm surely glad you were up to old Botts' tricks enough not to let him pull the wool over your eyes. He might gyp some of the hicks in this town, but he can't gyp you. Running to town all the time, he picks up a lot of these city-slicking tricks and comes



back here to try them out in Cedarvale. He thinks he's smarter than anybody else and sometimes he darn near proves it. But to try to crook a man of your intelligence! It's just not being done. I'm surely glad you stalled him off the way you did. You aren't going to let him take the bread out of your mouth."

"Wal," said Judge Baldwin, looking hard at Mr. Oates, "like I told you, I didn't give him no right back answer. I jist told him I'd think it over, but——"

"There," exclaimed Guy triumphantly. "What did I tell you! I knew you'd be too smart for him. I could have told you he'd be up to that trick, but I knew I didn't have to warn you about it. He's not going to beat you out of the fees in five cases."

Judge Baldwin dropped his feet from the table and sat slowly upright. "What?" he inquired, as sharply as it was possible for a man of his phlegmatic temperament.

"Yes, that's it," said Guy, leaning back in his chair and grinning broadly. "That old duffer thought he could slip a fast one by you. But you had him figured from the start. I'm surely glad that there's one man in this town, besides me, that knows his tomatoes. Consolidate those six cases. Ha-ha! And get only one fee instead of six. Ha-ha! By gosh, I congratulate you at beating old Botts at his own game! Shake!"

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The light that shone down on young Samuel could not have been more brilliant than the one that now crossed the seamed face of Judge Baldwin. He smiled an evil smile.

"They ain't many around here as knows the law like I do," he said dourly. "And they ain't many as has put it by me while I been justicin' in these parts." His face darkened and he added under his breath: "The old skinflint! So that's what he was up to!"

Mr. Oates arose and extended his hand again; Judge Baldwin took it and pumped it heartily.

"Any time you're ready to try those suits, judge, I'm ready," he said.

"They ain't no use delayin'," responded Judge Baldwin with some viciousness. "I'll have ole Botts in here to-morrow and we'll git 'em out of the way before you kin say Jack Robinson."

### IV

Thanks to the masterful pleading, not to mention the left-handed diplomacy, of Mr. Guy Oates, attorney at law, Charles W. Webb, farmer of the Midlothian district, Falls County, Texas, was awarded judgment in full for each one of the six heifers he had lost through the rank carelessness and criminal negligence of the engineer in charge of Number 67, the fast freight of the Sulphur Bot-

tom and Northeastern Railroad. Six times \$19.95 came to \$119.70; and the thirty-cent hiatus between that and \$120 was too insignificant for even the needy Mr. Webb to worry over.

Colonel Aaron Botts was about the maddest man in Falls County when the judgments were returned. He had begun to simmer when Judge Baldwin refused to consolidate the six suits, and the heating process was a perfect success when full judgments were handed down in all of the six cases of the half dozen departed heifers.

"It's nothin' short o' plain hijackin'," fumed Colonel Botts. "Them cows wasn't wuth ten dollars, the whole passel of 'em. And if that low-life, Charley Webb, didn't stomp down his own bobwire and ham-string them heifers so's they couldn't help but git kilt, I'm a crawlin' rattlesnake. The railroad won't never pay this claim. You kin put that in your pipe and smoke it. We'll appeal."

"You cain't," asserted Judge Baldwin calmly, picking his teeth.

"Cain't!" exploded Colonel Botts scornfully. "How come we cain't? You'll see if we cain't."

But Judge Baldwin hadn't been taking a course in law from Mr. Oates for nothing. He fairly wallowed in his superior knowledge.

"You cain't appeal from my court in no case involvin' less'n twenty dollars," he said boldly. "Sure, Botts, you know more law'n that! Why,

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even young fellers jist out o' college know that much law. . . . Ain't I right, Mr. Oates?"

"Absolutely correct," responded Guy, grinning. He turned to the eminent attorney of the Sulphur Bottom and Northeastern. "If Colonel Botts would like to see the law on it, he can step over to my office and I'll be glad to show him."

He looked at Colonel Botts in facetious expectancy, but that worthy exponent of the law was in no mood to indulge in educational pursuits. His face grew apoplectically crimson and he bent his hickory cane into a semicircle against the floor in a laudable attempt to control his embarrassment and anger.

"Make us pay, then," he said. "A lot o' good that judgment's goin' to do Charley Webb. He ain't got no more chance o' collectin' it than I got o' flyin' to th' moon. Jist try and git it."

With this ultimatum Colonel Botts stalked from Judge Baldwin's palace of justice in a towering rage. Mr. Webb, who was present in person, looked disconsolate, but Mr. Oates smiled.

"We'll get it all right," he said reassuringly. "Just wait and see. Anyhow, Charley, you don't need to worry. You remember our bargain. But the railroad will pay. They'll stall around a while, but they'll pay up in the end. I'm not bothered."

Mr. Oates was right. The Sulphur Bottom and Northeastern Railroad did stall around. In fact

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they laughed raucously at Mr. Webb's claim and mentioned several places other than the railroad offices where Mr. Webb could go to get his \$119.70. At length Mr. Oates, his patience exhausted, decided that the time had come to take drastic action. He left Cedarvale early one morning and went to the county seat. Shortly after noon he returned and broadcast a message that he wanted to see Bud Connor, local constable at Cedarvale, as soon as that worthy could be located.

Mr. Connor showed up at Mr. Oates' office within the hour, looking bored. Mr. Oates shoved a formidable document into his hands and told him to go out and do his duty.

"What is it?" inquired Mr. Connor, whose technical duties up until this time had not been multitudinous enough to complete his education as an arm of the law.

"It's an execution," explained Guy, "by Charles Webb, or in behalf of Charles Webb, against the Sulphur Bottom and Northeastern Railroad."

"What's it got to do with me?" parried Mr. Connor suspiciously.

"It's up to you to execute it, to serve it," Mr. Oates elucidated further. And, as Mr. Connor wavered, he added: "You get two and a half berries for doing it."

"Oh," said Mr. Connor with sudden interest. "Jist tell me what I got to do."



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"That paper," Guy went on, "shows that the Sulphur Bottom and Northeastern Railroad owes Charley Webb \$119.70 that they won't pay. Then there's some costs on top of that. Your two-fifty is part of those costs. You get it when the railroad coughs up. It's up to you to grab onto something the railroad owns to make them pay. The court will sell whatever you grab onto and Charley Webb and you will get your money out of that. All you have to do is to go down to the station and tell the agent there that you are the law and that you have come to levy on something to satisfy Charley Webb's judgment. Under the law he'll have to show you something that belongs to the railroad that you can seize for sale. You have to take what he tells you to—that's the law, too. The railroad has the right to say what particular part of their property you're to levy on. It's a cinch way to earn two dollars and a half."

"I gotcha," said Mr. Connor tensely. "Jist hold your breath till I git back."

Guy was not able to heed Mr. Connor's parting injunction. He felt like yelling aloud in his triumph and it was a temptation not easy to control. But he confined himself to a few fancy steps on his office floor and to the anticipation of Colonel Botts' dejection when the sad tidings came to roost. Half an hour passed, but Mr. Connor did not return. Mr. Oates grew impatient. Perhaps he

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hadn't explained to the constable the exact routine of his duties. As this idea grew, Guy looked thoughtfully at his watch and measured the distance to his hat and coat with a calculating eye.

He had just about made up his mind to go to Mr. Connor's assistance when that representative of the law appeared suddenly in the door. Mr. Connor's face was dubious, but his first words were reassuring.

"Wal, I got it," he said.

"Good!" exclaimed Guy, with relief. "What was it?"

"A engine," said Mr. Connor, anxiously noting the effect of this information on Mr. Oates.

"A what?" asked Guy, dumbfounded.

"A steam engine—locymotive," explained Mr. Connor at more length.

"Good gosh!" Mr. Oates dropped into his chair.

"It's the engine on the local freight," said Mr. Connor. "It come in while I was talkin' to the station agent. He told me to levy on that. I didn't much like that job 'cause the engineer and his pardner was settin' up in the cab big as life an' I wasn't hankerin' after no fight. Leastways with them guys; they was plenty husky lookin'. But I done it, anyhow. I got the engine."

"You got it?" asked Mr. Oates, despairingly. "Where?"

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"Leastways, it's there to git," went on Mr. Connor hurriedly. "It's a-standin' down in front of the deppo all steamed up and ready to go. Anybody that knows how to drive it can take her off. The engineer and the fireman didn't put up no scrap a-tall. When I told 'em I was goin' to levy on their engine, they jist crawled out o' th' cab and laughed and told me to hop to it. It was a cinch."

"What did you do then?" asked Guy.

"Wal, I took it. Leastways, I guess I did. It's there settin' right in front o' the deppo spittin' steam and smoke out an' nobdy in it. I got her all right."

"Well," said Guy, nonplused, "let it stay there a while. I've got to think things over."

"Cain't," said Mr. Connor doggedly, with a shade of anxiety creeping into his voice. "It's a-standin' on th' main line and th' limited is due thoo in a hour. You got to move it. The station agent says it ain't his property no more and he ain't goin' to be bothered with it."

"Hell!" said Mr. Oates, staring at Mr. Connor.

"He says if they's a wreck th' railroad won't be responsible," said Mr. Connor, finishing his story. "I would've parked th' dern thing somewhere, but I don't know how to run it. So I come here to tell you about it."

"Damn!" exclaimed Mr. Oates with fervor.

"When do I get my two-fifty?" asked Mr. Connor.

But Guy didn't stop to answer the question. He went down the stairs two to the jump and dog-trotted down to the railroad station. It wasn't a great distance; Mr. Oates was there inside of three minutes. The station agent saw him coming and awaited his arrival with a broad grin.

"Come to git your property?" he asked with evident enjoyment. "There she is. Run her off that main track in a hurry, kid, or they'll be plenty of hell to pay."

"Can you run a locomotive?" asked Guy abruptly.

"Some."

"Here's ten dollars. Get it off the main track onto a siding and the bill's yours."

"Nothin' doin'," said the agent, with an even broader grin, though he eyed the ten-spot with longing eyes. "Want me to lose my job?"

"No, I don't. But nobody'll know the difference." Guy waved the bill temptingly. "Three minutes' work to earn ten big bucks."

"Cain't do it," said the station master with decision. "I'd git the air sure. Orders is orders." He winked at Mr. Oates knowingly and made a barely perceptible gesture toward the station.

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Guy's eyes followed the direction and showed him Colonel Botts' unmistakable figure standing at attention in the shadows of the waiting room. Guy shifted his eyes quickly and pretended to have seen nothing. The last person he wanted to see in the world just at that moment was Colonel Botts.

"Fifty minutes more an' th' limited comes through," said the agent. "They ain't no way to stop it. It's done left Garden City an' it'll be smokin' through here to Worsham in no time. Better git that engine off'n the main track before somebody gits killed. Th' limited ain't due to stop here an' they'll be a fine mess if it plows into that locymotive."

Guy looked hopelessly around the railroad yards of the little junction. Far down the hill a diminutive switch engine puffed and snorted as it shunted cars on the sidings. Nearer to the station there were increasing signs of activity as preparations were made for the reception of the fast freight from the east. The station master walked off to his work. Guy stood for a moment in thought and then approached the steaming locomotive that the railroad had so willingly relinquished in satisfaction of Charley Webb's judgment. He crawled into the cab and looked with distrust at the strange levers and gauges. Once he stretched out a tentative hand toward the throttle, but drew it back quickly. Running a locomotive was beyond him.



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He crawled down from the cab and surveyed his white elephant with bitterness.

A lumbering motortruck ground up to the station at Guy's rear and stopped with a squeaking of brakes.

"Bill out these here boxes to Wickett," said a gruff voice. "Shake a leg and gimme th' bill o' ladin'. I got two more hauls to make before dark."

"O. K.," came back the voice of the station master. "Jist one second."

Guy started suddenly and slapped his leg. He shot a quick glance down the tracks toward the switch engine that still labored in the distance at its never-ending task. He grinned broadly and fairly ran toward the platform.

"Hey!" he yelled to the station agent.

That gentleman paused and looked back. He smiled happily when his eyes fell on Mr. Oates.

"Just a minute," said Mr. Oates, with some excitement. "I've figured everything out and it's O. K. Make out your bill of lading and deliver that locomotive of mine over to that spur track that runs into Charley Webb's gravel pit."

"You're cuckoo," said the station master and spat.

"Cuckoo nothing," said Mr. Oates firmly. "Do what I tell you. I'm billing that locomotive out of here as freight."

"Freight!" exclaimed the station agent in dis-

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dain. "That ain't no freight. Whoever heard of sich a thing? That's the thing that pulls freight." He laughed, tilting his head back to get the full enjoyment of the ridiculous situation.

"You'll take it just the same," said Guy with conviction. "I'm offering it to you as freight and I'm here to pay for its movement in advance, if necessary. Take it or leave it. If the flyer smashes into it now, it's just your hard luck. Better snap into it."

The station agent ceased his hilarity, scratched his head and shot an appealing glance toward the waiting room. Colonel Botts strode majestically forth. There was a leer on his heavy features.

"Who's whupped now?" he asked evilly. "You levied on that there locymotive. It's your'n. Go and git it. If you don't, they's goin' to be a wreck here in a little bit and th' blood'll be on your head."

"Well, well," grinned Guy, looking Colonel Botts up and down with seeming surprise. "Look who's here. No, Captain Botts, you're all wet. The blood, if there is any, will be on your head. I've just ordered that engine billed out as a freight shipment. Get that! It's now up to the great Sulphur Bottom and Northeastern to do its stuff. I wash my hands of the whole business. I'm going on back up to town. By-bye. If I hear a big noise I'll come down and help you pick up the pieces."

Long restrained, Colonel Botts now blew up

completely. "You gol-darned little whelp, you!" he spluttered. "Git your engine off the main line. We won't accept it as freight. You'll go to jail fer this."

"Lieutenant Botts," said Mr. Oates, with gravity, "don't get reckless. It won't be me who'll go to jail; it'll be you—you and some others. Remember that the Sulphur Bottom and Northeastern is a common carrier just like any other railroad. Drop into the office and I'll show you the law on it. You can't refuse a freight shipment. If you don't get that locomotive off the main track before the limited comes through, it'll just be one big mistake in operation. If anybody's killed, somebody's apt to get hanged for it. I hope it'll be you, and I know it won't be me."

With this parting shot, Guy turned his back on Colonel Botts and walked toward his office in Cedarvale.

"We won't take it!" yelled Colonel Botts at Guy's back. "You kin go jist straight to hell! We won't take it!"

"All right, corporal, it's your funeral!" Mr. Oates yelled back; and laughed loudly so that Colonel Botts would be sure to hear.

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### V

Guy did go back to town, as he had declared his intention of doing. But it was not from motives of indifference. He went to his office and put in a long-distance call. Three minutes later he had his connection. The conversation was brief, but Guy hung up the receiver with a smile of content. Then he hurried back to the station.

Colonel Botts and the station master were still the central figures in the little drama on the platform. Guy noted that they were in heated conversation. The station agent seemed anxious, even nervous, but Colonel Botts was held by no such mild emotions. Fury seethed in his soul; he was boiling. The back of his three-ply neck was scarlet and he gestured vehemently as he expounded his position to the station master. The latter was deprecatory, but insistent. A curious crowd stood back at a comfortable distance, watching the proceedings with eager interest.

As Guy stepped upon the platform a small figure shot past him from the waiting-room door and scurried over toward the altercating pair. The agent bent down and took the call boy's message. It was evidently urgent; he hastened inside. But he was gone for only a few seconds. He reappeared in a jiffy at the station door and yelled something. Colonel Botts turned.

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"It's you they want!" he informed Colonel Botts.

"Who does?" asked Botts belligerently.

"The railroad commissioner's office at Austin!" sang out the station master, who had apparently suddenly recovered his sang-froid. "An' they said to shake a leg. They want you right now."

Colonel Botts knit his brows fiercely and answered the summons with defiant deliberation. Sensing something good, the crowd closed in, gathering in a knot at the window and pressing around the open door of the waiting room. They saw Colonel Botts enter the telephone booth and pull the door to viciously behind him. Only a segment of the colonel's person was vouchsafed the crowd through the pay station's dirty glass, but that partial view was enough. It was evident that the message he was receiving from Austin was not of a pleasant nature.

A few moments passed and then Colonel Botts emerged, streaming with perspiration which he could but partially stem with his large bandanna handkerchief.

But the Colonel Botts who came out of the telephone booth was not the lordly Botts who had dived into it shortly before. The angry flush that a few seconds ago had suffused his heavy cheeks had now given way to a grayish pallor. He glanced at his watch nervously as the station agent drew near.



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They compared timepieces and gave mutual hurried directions.

Ten seconds later, to the huge delight of the assembled throng, which cheered the performance ecstatically, Colonel Botts, with his large red bandanna in his hand, began pounding heavily down the tracks in the direction of Garden City to flag the rapidly approaching flyer. The station agent, in just as much haste, scrambled frantically up into the cab of the locomotive which had caused all the trouble, and began feverishly working at the levers.

But the crowd's eyes were not upon the amateur engineer. A much more sporting event claimed their attention. For Colonel Botts, against his will and better judgment, was turning in an impromptu quarter-of-a-mile sprint that couldn't help but speed up the pulses of the most blasé. Clad still in his Prince Albert coat and his broad-brimmed slouch hat, which he hadn't had time to doff for the occasion, the eminent attorney of the Sulphur Bottom and Northeastern plowed his steaming way down between the glistening rails, deaf to the jeers of the throng behind him, intent only upon keeping a tryst with the imperiled limited.

Twice Colonel Botts bit the dust as his flying heels failed to clear the up-jutting ties. In his first spill he lost his hat, but he got up and went on without it. When he went down the second time

the excited crowd at the station thought it was the end. But such a thing as throwing up the sponge was not included in the colonel's repertoire. He had a job to save, as well as a train. He struggled to his feet once more, recovered his fluttering bandanna from the right of way and plodded ponderously on. Those who brought the good news from Ghent to Aix strove no more nobly than the colonel as he took the bad news from Cedarvale in the general direction of Garden City. Gradually his figure grew smaller in the distance and then, simultaneously with the warning shriek of the approaching limited, it disappeared around the bend.

As Colonel Botts went out of sight behind the peninsula of intervening trees that marked the beginning of the S curve a quarter of a mile away, the smoke of the limited suddenly spurted above the branches of green. Then the round black nose of the locomotive shot into sight and the intermittent hiss of its air brakes could be plainly heard at the station. Colonel Botts had given the signal. But stopping a heavy train clipping it off at sixty miles an hour is no easy job in the space of a quarter of a mile. The crowd on the platform fell silent and watched tensely. The station master had proved to be a ham as an engineer; he still worked manfully, but the locomotive stood stolidly in its tracks. It depended altogether upon the engineer

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of the limited as to whether the side show would be tragedy or comedy.

But the engineer on the limited knew his job or else this would have been a different story. A scant fifty feet from the offending locomotive, the seething passenger train finally came to a jerky, grinding stop. The grimy occupants of the cab leaned far out of their window and hurled heart-felt and insulting epithets at the station agent. A small army of trainmen dropped from the sides of the long passenger train and bunched as it came forward on the run. And from the rearmost car a tall man wearing a silk hat and a Prince Albert coat dropped stiffly to the ground and walked forward hastily.

The milling group around the station master's engine had grown menacing by the time the man in the silk hat arrived. But his appearance on the scene had an instant effect. The trainmen fell back, whispering to one another. The tall gentleman strode to the center of the throng and glanced to all sides with a quick eye.

"Who's the old guy with the stovepipe and Mother Hubbard?" Guy asked a smutty brakeman who stood near.

"Sh-h," whispered the brakeman hoarsely, "that's Benson, the big brass hat of the whole works."

Just then the silk-hatted gentleman's gruff voice

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spoke in a tone of angry authority. "Who's responsible for this?" he demanded at large.

A thick blanket of silence followed this inquiry. Mr. Benson's eyes rested accusingly on the station master. That worthy looked down in sickly fashion from the cab, but said nothing. Guy relieved the suspense.

"Here he comes!" he yelled gleefully, pointing down the track. "Ask Botts—he knows!" All eyes followed his finger.

A hundred or more yards away a very dejected and a very dirty Colonel Botts stumbled toward the crowd. His head sagged on his chest, his arms were swinging low, gorilla-fashion, and his thick legs struggled manfully to keep pace with his oncoming paunch.

The crowd separated, grinning. Mr. Benson faced himself in Colonel Botts' direction, planted his feet wide apart and, with arms akimbo, grimly waited his coming.

Judge Baldwin walked leisurely to his office door next morning and glanced carelessly across the street. Suddenly his gaze became riveted. Young Mr. Oates was lying on his stomach across the window sill of his office, balancing himself perilously while he draped his black and gold shingle with festoons of gay-colored bunting. Judge Baldwin

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sauntered over and looked up. Guy met his gaze and chuckled.

"What's th' big ideer?" asked Judge Baldwin. "Think this is th' Fo'th o' July or somethin'?"

"No," said Guy cheerfully. "It's just a little private celebration of my own." And he added: "In honor of Mr. Blackstone."

"Blackstone? Never heard of him," vouchsafed Judge Baldwin. "Some relative o' yourn, huh?"

"Relative in law only," corrected Guy gravely. "But I always thought a mighty lot of him."